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March 3, 2021

By *ECF*

Hon. Lorna G. Schofield  
United States District Judge  
U.S. District Court for the Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *Natural Alternatives International, Inc. v. Bactolac Pharmaceutical, Inc., et al.*,  
No. 1:19-cv-05354(LGS)/Letter motion to stay

Dear Judge Schofield:

This joint letter is submitted by counsel for plaintiff, Natural Alternatives International, Inc. (“NAI”), and defendant, Bactolac Pharmaceutical, Inc. (“Bactolac”), to inform the Court that the parties have agreed to settle the case, subject to a definitive settlement agreement. The parties jointly move for an order staying further proceedings in this case pending the completion of their settlement.

A stay would be proper here. “The power to stay proceedings is incidental to the power inherent in every court to control the disposition of the cases on its own docket with economy of time and effort for itself, for counsel, and for litigants.” *LaSala v. Needham & Co., Inc.*, 399 F.Supp.2d 421, 427 (S.D.N.Y. 2005) (quoting *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936)). A stay is appropriate here not only to conserve the parties’ and Court’s time and resources, but also, significantly, to preserve the terms of the settlement. *See, e.g.*, 13B Charles A. Wright, *et al.*, FEDERAL PRACTICE & PROCEDURE § 3533.2 (2009) (“a court may stay proceedings if the parties are working toward settlement, or if the parties have agreed but the settlement requires approval by someone else”).

Here, no party or non-party would be prejudiced by a stay. Under the scheduling order, the parties must file a joint pretrial order on March 18, 2021 and an in-person bench trial is for April 12, 2021. Dkt. No. 112. The parties agree that it will promote judicial economy and limit fees and expenses if further litigation activities are stayed at this time. Cost savings were an impetus for the parties’ settlement negotiations and agreement.

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Accordingly, the parties respectfully request that this Court enter a stay of this proceeding pending the consummation of their settlement and the filing of a stipulation order for voluntary dismissal under Fed. R. Civ. P. 41(a)(2).

We again thank the Court for its attention and consideration.

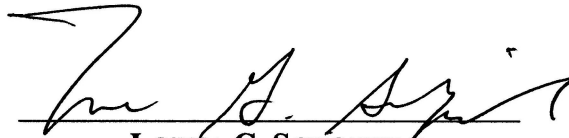
Respectfully submitted,

/s/ Richard J. Oparil  
Richard J. Oparil  
Counsel for Plaintiff

/s/ Christopher A. Raimondi  
Christopher A. Raimondi  
Counsel for Defendant

The application is **GRANTED**. All deadlines are stayed pending settlement discussions. The parties shall notify the court **as soon as an agreement in principle has been reached**, and **within thirty days of the date of this Order**, if an agreement in principle has not been reached, the parties shall file a letter apprising the court as to the status of settlement discussions.

Dated: March 4, 2021  
New York, New York

  
LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE